



**Local Agency
Formation Commission**
LAFCO of Napa County

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AUGUST 7, 2006
AGENDA ITEM NO. 5c

July 27, 2006

TO: Local Agency Formation Commission
FROM: Keene Simonds, Executive Officer
SUBJECT: *Old Sonoma Road District Annexation to the Congress Valley Water District (Action)*

The Commission will consider the annexation of 11.55 acres of unincorporated territory to the Congress Valley Water District. The subject territory is already served by the District, but is outside its jurisdictional boundary. This annexation is intended to formally authorize the District to serve the subject territory in a manner that conforms to California Government Code.

Proposed is the annexation of approximately 11.55 acres of unincorporated territory to the Congress Valley Water District. The subject territory comprises one unincorporated parcel that includes a single-family residence and a planted vineyard. In 2000, the District extended domestic water service to the subject territory based on its belief that the area was already in its jurisdictional boundary. In 2004, as part of the *Comprehensive Water Service Study*, LAFCO determined that the subject territory was not in the District's jurisdictional boundary, and recommended that the District initiate annexation proceedings to conform to California Government Code.

The Congress Valley Water District has demonstrated its ability to serve the subject territory without impact on the service levels provided to other ratepayers. The Executive Officer recommends approval of this proposal.

BACKGROUND

Applicant: Anthony and Joann Truchard, property owners.

Proposal: The applicant proposes the annexation of approximately 11.55 acres of unincorporated territory to the Congress Valley Water District. The subject territory comprises one unincorporated parcel that includes a single-family residence and a planted vineyard. The subject territory is already served by the District, but is outside its jurisdictional boundary. This annexation is intended to formally authorize the District to serve the subject territory in a manner that conforms to California Government Code. The property owners and District have consented to this annexation. Protest proceedings are not required.

Dr. Andrew Alexander, Vice-Chair
Mayor, City of Calistoga

Kevin Block, Commissioner
Councilmember, City of Napa

Cindy Coffey, Alt. Commissioner
Councilmember, City of American Canyon

Bill Dodd, Chair
Supervisor, 4th District

Brad Wagenknecht, Commissioner
Supervisor, 1st District

Mark Luce, Alt. Commissioner
Supervisor, 2nd District

Guy Kay, Commissioner
Representative of the General Public

Brian Kelly, Alt. Commissioner
Representative of the General Public

Keene Simonds
Executive Officer

Location: The subject territory is located at 4062 Old Sonoma Road in an unincorporated area of Napa County. It is located within the adopted sphere of influence boundary of the Congress Valley Water District and is depicted on the attached aerial map. (APN: 043-040-001)

FACTORS FOR CONSIDERATION:

California Government Code §56668 provides 14 factors to be considered in the review of a proposal. The Commission's review shall include, but is not limited to, consideration of these factors. Additional information relating to these factors can be found in the attached *Justification of Proposal*.

<p>(a) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.</p>	<p>The subject territory comprises one unincorporated parcel that includes a single-family residence and a planted vineyard. The single-family residence is currently unoccupied. No new development will be facilitated by this annexation, and current development is to a standard consistent with the land use policies of the County of Napa.</p>
<p>(b) Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.</p> <p>"Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.</p>	<p>The subject territory current receives domestic water service from the Congress Valley Water District. Because the area has historically lacked a reliable source of groundwater, the District serves an important role in providing domestic water service to the Congress Valley area. The District has demonstrated its ability to serve the subject territory without impact on the service levels provided to other ratepayers</p>
<p>(c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.</p>	<p>There will be no immediate change to the subject territory brought by annexation. The subject territory is already served by the District.</p>

<p>(d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377. <i>(Note: Section 56377 encourages preservation of agricultural and open-space lands.)</i></p>	<p>The annexation of the subject territory to the Congress Valley Water District is consistent with the policies of the Commission to recognize the current delivery of water service and support existing rural residential and agricultural development. Annexation would not adversely impact the continued agricultural and rural residential use of the subject territory and would be consistent with the County of Napa General Plan with respect to supporting non-urban development.</p>
<p>(e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.</p>	<p>The subject territory comprises one parcel that includes a single-family residence and a planted vineyard. The annexation would not impact the agricultural use of the subject territory as it is already being served by the Congress Valley Water District. The subject territory is not subject to a Williamson Act contract.</p>
<p>(f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.</p>	<p>The subject territory is completely surrounded by the existing jurisdictional boundary of the Congress Valley Water District.</p>
<p>(g) Consistency with city or county general and specific plans.</p>	<p>The proposal is consistent with the land use policies of the County of Napa with respect to supporting non-urban development. The County General Plan designates the subject territory "Agriculture, Watershed, and Open Space." The County zones the subject territory "Agricultural Watershed," which requires a minimum parcel density of 160 acres. No change in land use authority will occur as the result of this annexation.</p>
<p>(h) The sphere of influence of any local agency which may be applicable to the proposal being reviewed.</p>	<p>The subject territory lies within the adopted sphere of influence of the Congress Valley Water District. The proposal is consistent with the sphere of influence.</p>

(i) The comments of any affected local agency.	No substantive comments were received from an affected local agency during the review of this proposal.
(j) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.	The Congress Valley Water District has demonstrated its ability to serve the subject territory without impact to other ratepayers.
(k) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.	The subject territory currently receives domestic water service from the Congress Valley Water District. The District's service agreement with the City of Napa provides the District with sufficient water supplies and facilities to meet its existing service obligations.
(l) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.	Annexation of the subject territory to the Congress Valley Water District will not impact the County of Napa in achieving its regional housing needs allocation.
(m) Any information or comments from the landowner or owners.	No comments were offered.
(n) Any information relating to existing land use designations.	As noted, the County of Napa General Plan designates the subject territory "Agriculture, Watershed, and Open Space."

PROPERTY TAX AGREEMENT

In accordance with provisions of Revenue and Taxation Code §99, the County of Napa and the Congress Valley Water District by Resolution of the Board of Supervisors have agreed that no exchange of property taxes will occur as a result of annexation of lands to the Congress Valley Water District.

ENVIRONMENTAL ANALYSIS

This proposal is exempt from the provisions of the California Environmental Quality Act under Article 19, Section 15319(a) of the Guidelines. This section exempts annexations to a city or special district of areas containing existing public or private structures that conforms to the zoning density of the land use authority.

RECOMMENDATION

It is recommended for the Commission to take the following action:

- 1) Adopt the attached draft resolution approving the proposed *Old Sonoma Road District Annexation to the Congress Valley Water District*.

Respectfully submitted,

Keene Simonds
Executive Officer

Attachments

1. Aerial Map
2. Draft LAFCO Resolution of Approval
3. Justification of Proposal
4. CVWD Resolution No. 58